

UNITED STATES BANKRUPTCY COURT

Southern District of Georgia

In re:

Mark Popwell
Debtor

Case No.: 11-21485-JSD

Judge: John S. Dalis

Chapter: 13

ORDER ON MOTION FOR RELIEF FROM STAY/AFFIDAVIT OF DEFAULT

MOVANT: America's Servicing Company as Servicing Agent for the Bank of New York Mellon

SUBJECT PROPERTY: Real Property known as 529 Brockington Drive, St. Simons Island, GA 31522

After notice sent and no response having been filed, the motion is ordered:

☒ Granted☐ Continued to _____ at _____ a.m./p.m. ☐ Denied.☐ The debtor shall make timely post-petition payments to movant as required by the Chapter 13 plan.☐ The debtor shall tender payments to cure an arrearage of _____ as follows:

Pay _____ by _____

Pay _____ per month beginning _____

for _____ months and a final payment of _____.

STRICT COMPLIANCE IS ORDERED as follows:

☐ That in the event the debtor fails to comply with the terms of this order, the movant, through its attorney of record, may file an affidavit establishing the default, served upon debtor and debtor's attorney. Upon the expiration of fourteen (14) days without the filing of a counteraffidavit by the debtor disputing the fact of default, an order may be entered lifting the automatic stay, converting the case to a Chapter 7 or dismissing the case without further motion, notice or hearing.☐ The automatic stay is lifted automatically and without any further Notice or Order of Court, in the event that debtor remains in default in the performance of any payment obligation set forth in this order fourteen (14) days after the filing and service of a Notice of Non-compliance by Movant. Any action to reimpose the stay seeks injunctive relief and shall be brought as an Adversary Proceeding under Rules 7065 and 9011.☐ The strict compliance provision of this Order shall expire on _____.☐ Other provisions: _____

Dated: May 3, 2013.



John S. Dalis, United States Bankruptcy Judge

By our signatures below we do hereby consent to the entry of the foregoing order:

Attorney for Movant
GASB-55AD (Rev. 03/10)

Attorney for Respondent/Debtor

Trustee